

REMARKS

This Amendment is in response to the Notice of Non-Compliant Amendment mailed on October 29, 2008. The Notice of Non-Compliant Amendment alleged that the Amendment filed on September 5, 2008 was non-compliant for failing to identify the individual status of each claim. This Amendment properly identifies the status of claim 12 as Previously Presented. For the Examiner's convenience, the Supplemental Amendment filed on September 5, 2008 has been incorporated in this response. No new subject matter has been added.

This Supplemental Amendment is filed to supplement the previous Amendment filed on August 7, 2008 pursuant to a telephonic interview on August 26, 2008 between the Examiner and the undersigned. This Supplemental Amendment and the following remarks are intended to fully respond to the Office Action mailed April 7, 2008, hereinafter "Office Action." In that Office Action, claims 21-27 were rejected under 37 USC § 101. Claims 1, 3-10, 12-32 and 34-38 were rejected under 35 USC § 102(e) as being anticipated by Noel Abela, Publication No. US 2003/0177356 A1 (hereinafter referred to as "Abela").

Reconsideration of these rejections, as they might apply to the original and amended claims in view of these remarks, is respectfully requested.

In this Response, claims 1, 10, 12, and 28 have been amended, claims 21-27 have been cancelled, and no claims have been added. Therefore, claims 1, 3-10, 12-20, 28-32, and 34-38 remain present for examination.

Interview Summary

The undersigned would like to thank Examiner Nguyen for her time in conducting a telephonic interview with the undersigned on August 26, 2008. In that interview, the undersigned discussed the subject matter of the present disclosure with Examiner Nguyen. More particularly, the undersigned explained the differences between the claimed embodiments and the teachings of the Abela reference. Examiner Nguyen agreed to allow the undersigned to submit this Supplemental Amendment. No other agreements were reached.

Claim Rejections – 35 U.S.C. § 101

Claims 21-27 were rejected under 35 U.S.C. § 101 because the claimed invention is allegedly directed to non-statutory subject matter. Applicants have cancelled claims 21 – 27 without prejudice and reserve the right to pursue the subject matter of claims 21 – 27 in the future. However, in light of the cancellation, the § 101 rejection is now moot.

Claim Rejections – 35 U.S.C. § 102(e)

Claims 1, 3-10, 12-32 and 34-38 were rejected under 35 U.S.C. § 102(e) as being anticipated by Abela. Applicants respectfully traverse the § 102(e) rejections because either the Examiner has failed to state a *prima facie* case of anticipation or the current amendments to the claims now render the Examiner's arguments moot. Indeed, a *prima facie* case of anticipation can be met only where the reference teaches each and every aspect of the claimed invention. *See* MPEP §§ 706.02 & 2136. Under 35 U.S.C. § 102, a reference must show or describe each and every element claimed in order to anticipate the claims. *Verdegaal Bros. v. Union Oil Co. of California* 814 F.2d 628 (Fed. Cir. 1987) ("A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference"). Specifically, Abela fails to teach or suggest the recited elements of the independent claims.

Abela discloses a method and system for providing a trusted universal identification over a global communication network. Abela uses Universal Identification (uID) servers in each country to connect official databases (e.g., government databases) to the Internet. *See Abela paras. 0065-0072*. This permits users to check identification claims of other users through a query of the official information kept by each user's home country. *See id. para. 0056*. Each user is provided a uID that begins with the user's country code. *See id. para. 0062*. Another user can use the uID to authenticate any user who is requesting a service. *See id. para. 0056*.

For example, Abela teaches and suggests a uID which facilitates logging into various access or identity restricted websites located on the Internet (e.g., "Hotmail", "Yahoo", or "Netscape" mail). *See id. para. 0091*. Abela specifically teaches a way of providing a single

identification to a uID user which the uID user may pass to a website in order to access the website. Abela states,

A "uID user" is anyone making use of uID services or utilities and who is authenticated by his, her, or its uID identifier and digital secret/s or signatures. In this case, a uID compliant web server, and its users are all considered "uID users". The delivery of any uID service or transaction involves at least two uID users. To distinguish between them, we shall refer to user system 403 as the "enquired" uID user and web server system 404 as the "enquirer" uID user, since it is server 404 who is enquiring about user 403. A combination of a uID identifier 405 and a digital signature 411 is used to authenticate enquired 403 while a combination of a uID identifier 407 and a digital signature 412 is used to authenticate enquirer 404.

See id. As previously mentioned, the uID's are managed and granted by nations. *See id. paras. 0065-0072.* In this sense, it is illustrative to think of Abela as teaching a system for distributing electronic "passports" to web users. Users can show these "passports" to be granted entry into a website rather than having to prove an identity for each website the user desires to access (i.e., the user maintains a different login and password for each website he or she visits). The uID's taught in Abela are identification cards specifically associated with a user, and not a resource.

Independent claim 1 requires, at least,

a plurality of principal objects, wherein each principal object corresponds to a specific principal authenticated to perform a digital action within the computing environment and wherein each principal object is operable for use by a computer process within the computing environment to associate a plurality of resource objects with the specific principal corresponding to the principal object;

a plurality of identity claims, wherein each identity claim uniquely identifies the specific principal corresponding to each specific principal object, and wherein at least one of the plurality of principal objects comprises two or more identity claims each uniquely identifying the specific principal corresponding to the at least one principal object; and

a plurality of identity references, wherein each of the plurality of identity references comprise at least part of one of the resource objects within the computing environment, and wherein each of the plurality of identity references

identifies its associated resource object as being associated with a specific principal based on a link assertion within the identity reference to a specific identity claim.

However, it is unclear from the Office Action what parts of Abela are allegedly mapped to these elements. For example, the Office Action appears to equate the individual or groups, country, or organization recited in paragraph [0107] to the plurality of principal objects. Applicants respectfully disagree. The recited principal objects are not individuals, groups, countries, or organizations. (See Office Action, p. 4). Rather, the principal objects are operable for use by a computer process within the computing environment to associate a plurality of resource objects with the specific principal corresponding to the principal object. (See, e.g., Specification page 13, ll. 15-18, stating “After the appropriate principal object 110, and thus, the corresponding identity claim 134, is instantiated, methods on the resource object 104 call methods on the principal object 110 that associate the resource to the principal corresponding to the principal object 110.”) At best, the Office Action’s reliance upon the individual or groups, country, or organization taught in Abela may relate to the recited specific principal. (See, e.g., Specification page 4, ll. 19-20, stating “a principal is any individual, group of individuals or computer module that performs some action in a computing environment.”) Nevertheless, even if Abela teaches the specific principal, the Office Action does not specify how Abela teaches principal objects that are operable for use by a computer process within the computing environment to associate a plurality of resource objects with the specific principal corresponding to the principal object.

Independent claim 1 also requires a resource object. The Office Action is unclear as to what portion of Abela teaches the recited resource object. The Office Action relies on paragraph [0074], stating “every individual, organization, or other entity member is represented by a single record in the Unique ID hosted by his or her or its country of origin.” (Office Action, p. 4). The record in the Unique ID is not a resource object as recited in claim 1. Furthermore, the resource objects are associated with the specific principal corresponding to the principal object. The Office Action appears to be stating that principals are represented by a single ID. This falls short of teaching resource objects that are associated with the specific principal corresponding to the principal object. It is unclear as to what the Office Action is specifically asserting as the

resource object, although it appears that the Office Action is suggesting that user-requested web page in Abela is a “resource.”

Claim 1 also recites identity claims. (See, e.g., Specification, p. 6, ll. 14-16, stating, “Exemplary assertions that may be used to form an identity claim 134 include, but are not limited to, email addresses, telephone numbers (both landline and mobile), credit card account numbers, social security numbers, driver’s license numbers, etc.”) The Office Action does not rely on Abela as teaching identity claims, instead alleging that “it is inherent because every identity claims have to have a uniquely identifies, for example everyone have to have a SSN cited in specification page.1”. Applicants respectfully disagree. As recited in claim 1, each identity claim uniquely identifies the specific principal corresponding to each specific principal object, and wherein at least one of the plurality of principal objects comprises two or more identity claims each uniquely identifying the specific principal corresponding to the at least one principal object. It is unclear from the Office Action how this element is allegedly met by Abela.

Finally, claim 1 recites a plurality of identity references. Again, the Office Action relies upon paragraph [0074] of Abela equating “every individual, organization, or other entity member is represented by a single record in the Unique ID hosted by his or her or its country of origin” to the plurality of identity references. Again, Applicants respectfully disagree with the Office Action. The recited identity references comprise at least part of one of the resource objects within the computing environment, and wherein each of the plurality of identity references identifies its associated resource object as being associated with a specific principal based on a link assertion within the identity reference to a specific identity claim. Abela’s single record in the Unique ID cannot possibly represent an identity reference.

For the sake of full discussion and without admitting the appropriateness of any such correlation, the Applicants assume that the Office Action intended to equate the following portions of Abela with the elements of claim 1:

- Abela’s UID’s as the principal objects;
- Abela’s user-requested web page as the resource object; and

- Abela's UID record field set as the identity claims.

Even if these comparisons were accurate, and Applicants do not agree that they are, there are simply no identity references in Abela. Identity references are required to be (a) part of one of the resource objects within the computing environment and (b) include a link assertion . . . to a specific identity claim. By analogy, Abela would need to teach that a portion of an object representing the requested web page includes a reference that links the web page to a specific UID record field. Abela instead teaches an embodiment where the ID process is outsourced to a home server (i.e., the server issuing the Unique ID). Thus, in Abela, the only information that the web page needs to keep track of is a table of home countries and server addresses so it can identify which server to outsource the ID process to upon receiving a request from a user. This does not comprise at least part of one of the resource objects within the computing environment . . . wherein each of the plurality of identity references identifies its associated resource object as being associated with a specific principal based on a link assertion within the identity reference to a specific identity claim.

Independent claim 10 similarly includes:

a first principal object corresponding to the first principal, wherein the first principal object is operable for use by a computer process within the computing environment to associate at least one resource object with the first principal;

a plurality of identity claims, wherein each identity claim uniquely identifies the first principal, the first principal object including the plurality of identity claims such that the computer process may associate the at least one resource object with the first principal using any of the plurality of identity claims; and

a plurality of identity references, wherein each of the plurality of identity references comprise at least part of one of the resource objects within the computing environment, and wherein each of the plurality of identity references identifies its associated resource object as being associated with a specific principal based on a link assertion within the identity reference to a specific identity claim of a specific principal object.

See Claim 10.

Claim 10 is, therefore, also distinguishable from Abela for at least the same reasons as claim 1.

Abela also fails to disclose all of the elements of amended claim 28. Claim 28 also recites a principal object, an identity claim, resource objects, and identity references and is allowable for at least the same reasons as set forth above. Furthermore, claim 28 includes:

creating a phantom principal object in response to receiving a resource object having a identity reference comprising a declaration that does not link the resource object to the principal object, wherein the principal object does not include a specified identity claim that links to the identity reference, the declaration comprising an identification string uniquely identifying a second principal within the particular identification scheme, and wherein the phantom principal object is created to include the identification string assigned to the second principal, wherein the resource object is associated with the phantom principal object;

saving the phantom principal object to a data store containing the principal object corresponding to the first principal;

receiving a new principal object; and

replacing the phantom principal object with the new principal object.

Abela does not teach or suggest these additional claimed elements, and the Office Action points to no portion of Abela that discusses such elements.

For the forgoing reasons, Abela does not teach all the limitations of independent claims 1, 10, and 28 and therefore cannot anticipate the present embodiments as claimed. Independent claims 1, 10, and 28 are allowable over the cited references and should be allowed. All other claims, *i.e.*, claims 3-9, 12-20, 29-32 and 34-38 depend from the allowable independent claims and are, thus, also allowable over the references of record for at least the same reasons noted above. Therefore, Applicants respectfully request that the Examiner issue a notice of allowance, for all claims, at her earliest convenience.

Conclusion

This Amendment fully responds to the Office Action mailed on April 7, 2008. Still, that Office Action may contain arguments and rejections that are not directly addressed by this Amendment due to the fact that they are rendered moot in light of the preceding arguments in favor of patentability. Hence, failure of this Amendment to directly address an argument raised in the Office Action should not be taken as an indication that the Applicants believe the argument has merit. Furthermore, the claims of the present application may include other elements, not discussed in this Amendment, which are not shown, taught, or otherwise suggested by the art of record. Accordingly, the preceding arguments in favor of patentability are advanced without prejudice to other bases of patentability.

It is believed that no further fees are due with this Response. However, the Commissioner is hereby authorized to charge any deficiencies or credit any overpayment with respect to this patent application to deposit account number 13-2725.


In light of the above remarks and amendments, it is believed that the application is now in condition for allowance, and such action is respectfully requested. Should any additional issues need to be resolved, the Examiner is respectfully requested to telephone the undersigned to attempt to resolve those issues.

Respectfully submitted,



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